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CERTIFIED TRUE COPY

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

)
Administrative Action

IN THE MATTER OF

ROBERT N. DEL PRESTO, D.M.D.

CONSENT ORDER

)

This matter was opened to the New Jersey Board of Dentistry ("the Board") upon receipt of a patient complaint from A.D. on behalf of his wife F.D. The complaint alleged that Robert N. Del Presto ("respondent") failed to conform to standard dental practice in the State of New Jersey. Specifically, A.D. alleged that respondent did not render proper treatment regarding the fabrication and insertion of upper and lower dentures for his wife F.D. On November 17, 1999, respondent appeared without counsel at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including a direct mailer advertisement provided to the Board by both the complainant and respondent offering dentures at a discounted rate, and having heard the testimony of respondent at the investigative inquiry, it

appears to the Board that while respondent did not deviate from the standard of care for dental practice in the State of New Jersey with respect to the fabrication and insertion of dentures for patient F.D., he did fail to comply with all advertising regulations. Specifically, respondent violated N.J.A.C. 13:30-8.6(g) in that he advertised upper and lower dentures including an exam, x-rays and a six month post-insertion care visit for \$999.00 without indicating his normal fee for this same service.

This failure forms the basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h). The Board is satisfied that it can conclude this matter at this time in a manner which adequately protects the public because respondent agrees to the following in order to resolve this matter without recourse to further investigation and formal proceedings:

IT IS, THEREFORE, ON THIS 1st DAY OF March 2000, HEREBY ORDERED AND AGREED THAT:

- 1. Respondent shall pay civil penalties in the amount of \$500.00 for the advertising violation. Payment shall be made by certified check or money order, payable to the State of New Jersey and forwarded to Agnes Clarke, Executive Director, Board of Dentistry, P.O. Box 45005, Sixth Floor, 124 Halsey Street, Newark, New Jersey 07101 contemporaneously with the signing of this Consent Order.
- 2. Respondent shall pay costs of the investigation in this matter in the amount of \$96.00. Payment for costs shall be

made by certified check or money order payable to the State of New Jersey and submitted to Agnes M. Clarke at the address above, contemporaneously with the signing of this Consent Order.

New Jersey State Board of Dentistry

Henry Finger, President

I have read and understand the terms of this Consent Order and agree to be bound by the terms. I consent to the entry of this Order.

Robert N. DelPresto